



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

September 16, 2019

FILED BY ECF

The Honorable Alison J. Nathan
United States District Judge
Southern District of New York
United States Courthouse
40 Foley Square, Courtroom 1306
New York, New York 10007

Re: *United States v. Ali Sadr Hashemi Nejad*, 18 Cr. 224 (AJN)

Dear Judge Nathan:

The Government writes at the Court's direction to update the Court regarding the email evidence issue discussed at the September 9, 2019 conference.

As the Government explained, the District Attorney's Office ("DANY") executed several search warrants on email accounts controlled by the defendant Ali Sadr Hashemi Nejad (the "Sadr Accounts") and accounts controlled by others (the "non-Sadr Accounts"). DANY reviewed the returns from these accounts for responsiveness as they received them. During this review, DANY employees made binders of responsive documents and saved responsive documents in electronic folders. A filter team from DANY, working with a U.S. Attorney's Office's filter team (the "Filter Team"), has located these documents in DANY's file and cross-referenced these responsive documents within the discovery produced in this case. In addition to the 420 documents the Government previously identified as responsive from the DANY binders (and produced to Sadr as such on May 15, 2018), the DANY filter team identified an additional 1,775 responsive documents from the Sadr Accounts, and 622 responsive documents from the non-Sadr Accounts.

The Government produced the 1,775 documents from the Sadr Accounts on April 5, 2018 and then again on November 15, 2018, but has not yet produced the 622 documents from the non-Sadr Accounts. This week, the Filter Team will produce all 2,397 documents to Sadr, and will specify which items DANY recovered from the Sadr Accounts (which, again, the defense already has), and which items DANY recovered from the non-Sadr Accounts (which the defense will be

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cc: Defense Counsel (by ECF)